

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

Blue Spike, LLC,

Plaintiff,

v.

Texas Instruments, Inc., et al.,

Defendants.

CASE NO. 6:12-cv-499 MHS

LEAD CASE

Jury Trial Demanded

Blue Spike, LLC,

Plaintiff,

v.

ZK Software Biometric Identification
Technology Co., Ltd. and ZK Technology,
LLC,

Defendants.

CASE NO. 6:12-CV-608 MHS

CONSOLIDATED CASE

Jury Trial Demanded

AGREED MOTION TO DISMISS

Plaintiff Blue Spike, LLC, on the one hand, and Defendants ZK Software Biometric Identification Technology Co., Ltd. and ZK Technology, LLC (“ZK Teco”), on the other, have reached a settlement of the above-captioned matter and have agreed to dismiss the claims, counterclaims, and causes of action between them.

Accordingly, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Blue Spike, LLC stipulates to the dismissal with prejudice of all claims and causes of action asserted in this case against ZK Teco, and ZK Teco stipulates to the dismissal with prejudice of all counterclaims and defenses asserted in this case against Blue Spike, LLC. The parties shall bear their own attorneys’ fees, expenses and costs.

By: /s/ Randall T. Garteiser

Randall T. Garteiser
Lead Attorney
Texas Bar No. 24038912
rgarteiser@ghiplaw.com
Christopher A. Honea
Texas Bar No. 24059967
chonea@ghiplaw.com
Christopher S. Johns
Texas Bar No. 24044849
cjohns@ghiplaw.com
GARTEISER HONEA, P.C.
218 North College Avenue
Tyler, Texas 75702
(903) 705-0828
(903) 526-5477 fax

Kirk J. Anderson
California Bar No. 289043
Peter S. Brasher
California Bar No. 283992
GARTEISER HONEA, P.C.
44 North San Pedro Road
San Rafael, California 94903
(415) 785-3762
(415) 785-3805 fax

By: /s/ Qian Huang

Qian Huang
PILLSBURY WINTHROP SHAW
PITTMAN LLP
qian.huang@pillsburylaw.com
2300 N Street, NW
Washington, DC 20037-1122
Phone: 202-663-8081
Fax: 202-663-8007

Robert F. Kramer
CA Bar No. 181706
C. Gideon Korrell
CA Bar No. 284890
DENTONS US, LLP
1530 Page Mill Road, Suite 200
Palo Alto, CA 94304
Tel: (650) 798-0300
Fax: (650) 798-0310
robert.kramer@dentons.com
gideon.korrell@dentons.com

*Counsel for Defendants ZK Software
Biometric Identification Technology Co.,
Ltd. and ZK Technology, LLC*

ATTORNEYS FOR BLUE SPIKE, LLC

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Federal Rule of Civil Procedure 5(d) and Local Rule CV-5(d) and (e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by email.

/s/ Randall T. Garteiser